

I hereby certify I hereby certify that this is being faxed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231.  
Attn: Ex. M. Tung, at (703)305-7401 on December 17, 1998.

Date: December 17, 1998 By: Lois E. Miller

PATENT/DX0686

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: ) Examiner: M. Tung  
5 Daniel M. GORMAN, et al. ) Art Unit: 1644  
Serial No.: 09/989,362 )  
Filed: December 12, 1997 ) PRELIMINARY AMENDMENT  
10 For: MAMMALIAN CELL SURFACE )  
ANTIGENS; RELATED )  
REAGENTS )  
Palo Alto, California 94304  
December 17, 1998

Assistant Commissioner for Patents  
Washington, D.C. 20231

Honorable Sir:

20 Prior to receipt of any written Office Action on this case,  
Applicants file the present Preliminary Amendment.

## **AMENDMENTS**

**IN THE CLAIMS:**

25 Please cancel Claims 7-10, 17, and 18-20.

Please amend claims 1-6, 11, and 14-16 as follows:

1. A composition of matter selected from the group consisting of:

a) a substantially pure or recombinant 499E9 (protein or

30 peptide] polypeptide exhibiting [at least about 85%]-  
100% sequence identity over a length of at least [about]  
12 contiguous amino acids to SEQ ID NO: 2;

- b) a natural sequence 499E9 of SEQ ID NO: 2; or
- c) a fusion protein comprising 499E9 sequence.

35 2. [A substantially pure or isolated protein comprising a segment exhibiting sequence identity to a corresponding portion of  
a] The recombinant 499E9 polypeptide of Claim 1, wherein [